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Arizona Corporation Commission

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AZ CORP COMMISSION

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May 29, 2015

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Docket Control
Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007

Re: Annual Certification (Docket No. W-04291A-04-0843)

Docket Control:

Pursuant to Decision No. 67881, The Aerie Conservancy hereby certifies that the provisions in the Declaration of Covenants, Conditions, Restrictions and Easements that were recorded with the Yavapai County Recorder on November 17, 2005 at Book 4335, Page 608, which (1) restrict further subdivision of the current 78 lots in the required adjudication area, (2) limit the number of memberships in The Aerie Conservancy, (3) prohibits expansion of the property to be served by The Aerie Conservancy and (4) grants equal voting rights, have not been altered, amended, or repealed.

Very truly yours,

The Aerie Conservancy
Michelle Yerger
President

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 SUSAN BITTER SMITH - Chairman
4 BOB STUMP
5 BOB BURNS
6 TOM FORESE
7 DOUG LITTLE

8 **IN THE MATTER OF THE APPLICATION**
9 **OF AERIE CONSERVANCY, AN ARIZONA**
10 **NONPROFIT CORPORATION, FOR**
11 **ADJUDICATION THAT IT IS NOT A PUBLIC**
12 **SERVICE CORPORATION**

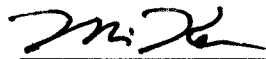
13 **DOCKET NO. W-04291A-04-0843**
14 **ANNUAL CERTIFICATION**

15 The Arizona Corporation Commission ("Commission") granted the application of The
16 Aerie Conservancy for adjudication that it is not a public service corporation in the above-
17 captioned docket. *Decision No. 67881 (June 1, 2005)*. In Decision No. 67881, the Commission
18 ordered The Aerie Conservancy to file a copy of the Declaration of Covenants, Conditions,
19 Restrictions and Easements for the 78 lot subdivision known as The Aerie that (i) restricts the
20 further subdivision of The Aerie, (ii) limits the number of memberships in the Aerie
21 Conservancy, (iii) prohibits expansion of the property to be served by The Aerie Conservancy,
22 and (iv) grants equal voting rights ("CC&Rs"). The Commission further ordered The Aerie
23 Conservancy to file an annual certification stating that the CC&Rs provisions set forth above in
24 (i) – (iv) remain in place and have not been altered, amended, or repealed. The annual
25 certification must be signed by an officer and filed by June 1 of each year until the "Transition
26 Date," as defined in the CC&Rs.

27 The Aerie Conservancy recorded the CC&Rs with the Yavapai County Recorder on
28 November 17, 2005 at Book 4335, Page 608. In compliance with Decision No. 67881, The Aerie
Conservancy hereby certifies that the CC&Rs provisions set forth above in (i) – (iv) remain in

1 place and have not been altered, amended, or repealed. The certification of Michelle Yerger, the
2 President of The Aerie Conservancy, is attached hereto.

3 DATED this 2nd day of June, 2015
4

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6 

7 Michael Kern
8 Communities Southwest Management, Inc.
9 7001 N. Scottsdale Road, Suite 1015
10 Scottsdale, Arizona 85253

11 ORIGINAL and thirteen (13) copies
12 filed with Docket Control this 2nd
13 day of June, 2015.

14 COPY of the foregoing hand-delivered
15 this 2nd day of June, 2015, to:

16 Utilities Division
17 ARIZONA CORPORATION COMMISSION
18 1200 West Washington Street
19 Phoenix, Arizona 85007
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